

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Zackary Andrew Brown,

File No. 22-cv-01122 (ECT/BRT)

Petitioner,

v.

ORDER

Warden of Minnesota Correctional Facility
– Faribault; Keith Ellison, *Attorney General*
of State of Minnesota; and Minnesota
Attorney General’s Office,

Respondents.

Petitioner Zackary Andrew Brown asks that this habeas case be reopened. ECF No. 9. For being relatively new, this case has an unusual history. Mr. Brown’s habeas petition was filed on April 26, 2022. But on May 9, 2022, the Court received a letter from Mr. Brown stating that he did not wish to proceed with his case. ECF No. 5. In compliance with Mr. Brown’s wishes, the case was administratively closed.

Mr. Brown changed his mind again, however. On May 11, the Court received another (undated) letter from Mr. Brown stating that he wished to go forward with the case after all. ECF No. 6. So, in accordance with Mr. Brown’s wishes, the case was administratively reopened. Since then, the Court has received two more letters from Mr. Brown requesting that the case be re-filed or reopened. ECF Nos. 7, 9.

Though this order is technically not necessary, it makes practical sense just to construe the letter received on May 16, ECF No. 9, as a motion to reopen the case and, to eliminate any doubt about the case’s status, order that it be granted.

Accordingly, based on the foregoing, and on all of the files, records, and proceedings herein, **IT IS ORDERED THAT** Petitioner's motion to reopen this case [ECF No. 9] is **GRANTED**.

Dated: May 19, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court